

**CASEY & BARNETT, LLC**  
ATTORNEYS AT LAW  
65 West 36<sup>th</sup> Street, 9<sup>th</sup> Floor  
New York, New York 10018  
Telephone: (212) 286-0225  
Facsimile: (212) 286-0261  
Web: [www.caseybarnett.com](http://www.caseybarnett.com)

MARTIN F. CASEY\*  
GREGORY G. BARNETT\*\*  
THOMAS M. GRASSO\*

CHRISTOPHER M. SCHIERLOH  
PATRICIA MAHER

\* Admitted in NY and NJ  
\*\* Admitted in NY, NJ, La and OH

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DATE FILED: 9-30-10

NEW JERSEY OFFICE  
Casey & Barnett, LLP  
25 Prospect Street  
Morristown, NJ 07960  
Tel: (973) 993-5161  
Fax: (973) 539-6409

[mfc@caseybarnett.com](mailto:mfc@caseybarnett.com)

September 30, 2010

Via Telecopier 212-805-7949

Conference adjourned

to: Dec. 20, 2010 at 10:30am

from: October 1, 2010

SO ORDERED

P. KEVIN CASTEL, U.S.D.J.

# MEMO ENDORSED

Honorable P. Kevin Castel  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

Re: *Innovation Fuels, Inc. v. Barge Cold Spring Harbor*  
09 cv 9953 (PKC)  
Our Ref: 228-69

Dear Honorable Judge:

We represent the plaintiffs in the above referenced matter and, with the consent of each of the defense attorneys, write to seek an adjournment of the status conference scheduled for tomorrow, October 1, 2010.

The parties are close to resolving this case by settlement and that it can be accomplished within the next 30 days. The parties do not presently believe that they require the assistance of the Court in order to complete the settlement.

We thank the Court for its consideration of this request.

Respectfully submitted,

**CASEY & BARNETT, LLC**

*Martin F. Casey*  
Martin F. Casey

cc: Michael Unger, Esq.  
David Nourse, Esq.  
Armand Pare, Esq.  
Michael Stern, Esq.

[unger@freehill.com](mailto:unger@freehill.com)  
[dnourse@nb-nv.com](mailto:dnourse@nb-nv.com)  
[apare@nb-nv.com](mailto:apare@nb-nv.com)  
[mstern@rubinflorella.com](mailto:mstern@rubinflorella.com)

9-30-10